

- rejected claims 8-10 and 21-23 under 35 U.S.C. 102(e) as being anticipated by Lupien et al. (U.S. Patent 5,950,177);
- rejected claims 48-49 and 51-52 under 35 U.S.C. 102(e) as being anticipated by Minton (U.S. Patent 6,014,643);
- rejected claims 11-15 and 24-28 35 U.S.C. 103(a) as being unpatentable over Lupien et al. (U.S. Patent 5,950,177) in view of Minton (U.S. Patent 6,014,643);
- rejected claims 16-20 and 29-33 under 35 U.S.C. 103(a) as being unpatentable over Minton (U.S. Patent 6,014,643) in view of Personal Finance (Quicken Deluxe for Windows);
- rejected claim 50 under 35 U.S.C. 103(a) as being unpatentable over Minton (U.S. Patent 6,014,643) in view of Broka et al. (U.S. Patent 5,809,483).

The claims have not been amended.

Lupien does not teach a computer display of orders

Claims 8-10 are directed to a computer program for providing an interface to display orders to buy securities at different prices and offers to sell securities at different prices. Claims 21-23 are similar but are directed to an article of manufacture that stores such a computer program.

The rejection of claims 8-10 and 21-23 is respectfully traversed.

Lupien describes a system by which buyers enter satisfaction density data (see Col. 5, line 51 through Col. 6, line 3) that is stored in a Buy Profile Data Base 104, sellers enter satisfaction density data that is stored in a Sell Profile Data Base 106, and the profiles are compared and ranked according to the degree each buy and sell profile is mutually satisfactory (FIG. 8). Notably, the flowchart of FIG. 8 does not indicate that orders are displayed.

According to Lupien, several traders (users) input orders as satisfaction density profiles, which are matched by a computer to corresponding orders, i.e., buy order to sell order or sell order to buy order (Col. 5, line 51 through Col. 6, line 3). The complete order entry display screen is shown in FIGS. 6A and 6B. The computer performs matching of the orders “so that each trader is assured that the overall outcome of the process (in terms of

average price and size of fill) has maximized the mutual satisfaction of all traders” (Col. 3, lines 49-58). Lupien *does not mention displaying the orders to the users*; and since there is no need to display the orders, there is no suggestion that the orders be displayed. In particular, the input to Lupien’s system consists of an indication to the computer of how “satisfied” the user will be if a commodity is bought or sold at a given price. The system then attempts to maximize the mutual satisfaction of all of the traders involved (Col. 3, lines 49-58). Since no further input is necessary to complete the matching of orders, the users do not need to have lists of buy and sell orders displayed.

Since Lupien does not disclose a computer display of orders to buy and sell certain securities at different prices, Lupien does not anticipate claim 8, and claims 9 and 10 which depend from claim 8. Likewise, Lupien does not anticipate claim 21, and claims 22 and 23 which depend from claim 21, for at least the reasons set forth above with respect to claim 8.

Minton uses overlapping windows to display data

Claims 48, 49, 51 and 52 are directed to a computer program for providing for non-overlapping simultaneous display of at least price quotes, account balances, news and the user’s security position. This display has the advantage of allowing the user to immediately grasp his financial position.

The rejection of claims 48-49 and 51-52 is respectfully traversed.

Minton discloses a trading screen that displays offers to buy 425, offers to sell 432, time and sales data 430, a time and sales graph 434, a ticker tape 440 and numerous buttons 402-424.

Minton allows the display of additional information by, for example, clicking one of the buttons on trading screen 400 of Fig. 4 (Col. 8, lines 42, 49, 55, 60; Col. 9, line 16). Activation of a button apparently replaces the trading screen of Fig. 4 with another screen. For example, activation of button 404 displays pricing screen 500 of Fig. 5, activation of button 418 displays buy screen 600 of Fig. 6 and activation of button 424 displays sell screen 700 of Fig. 7.

Minton does not describe a screen that includes all of the data required by claim 48 in non-overlapping windows. For example, trading screen 400 does not display reports of a user's positions in various securities or the user's account balances. And, contrary to the Examiner's apparent position, the ability to display a user's securities position does not anticipate the claims because such a display is not made simultaneously with the other information that is required to be displayed.

Accordingly, Minton does not anticipate claim 48, and claims 49, 51, and 52 which depend from claim 48.

Personal Finance does not display the required data

Claim 16 is directed to a computer program for providing a simultaneous display of a user's current securities position, user's open order list, a trade ticket and a watch list.

The rejection of claims 16-18 and 29-31 is respectfully traversed.

Contrary to the Examiner's assertions, col. 2, lines 60-62 of Minton does not describe a computer display of a user's current securities position. They merely indicate that the subject patent relates to a system that allows individuals to buy and sell securities. Nor does col. 7, lines 33-46 disclose a computer display of a user's open order list. The referenced paragraph merely indicates that server 316 allows users to view each other's buy and sell orders and Fig. 4 illustrates the trading screen that provides for such viewing, particularly, buy window 428 and sell window 432. However, these windows aggregate all outstanding orders to buy and all outstanding offers to sell and do not provide an open order list for a single user (see, col. 9, line 58 to col. 10, line 2).

As for the watch list, the Examiner concedes that this is not disclosed by Minton but argues that it would be obvious in view of the Personal Finance reference.

However, claim 16 also requires that the user's positions, his open order list, his watch list and the trade ticket be simultaneously displayed. There is no suggestion in the references that such items be simultaneously displayed. And in the absence of such suggestion, claim 16 and the claims dependent thereon are allowable.